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REMARKS

Claims 22, 38 and 60-69 are pending, with claims 1-21, 23-37 and 39-59 having previously been canceled, without prejudice or disclaimer. By this Amendment, claim 64 has been amended to clarify the claimed subject matter. More specifically, the term "an MOCVD method" in claim 64 has been replaced with "a conventional low pressure MOCVD method". Claims 22, 38 and 60-69 remain pending upon entry of this Amendment, with claims 22 and 64 being in independent form.

The Office Action indicated that a new oath or declaration is required.

A Reissue Application Declaration By The Inventor is attached as **Exhibit A** hereto.

As indicated in the enclosed Reissue Application Declaration By The Inventor, the patent for which reissue is sought does not include claims directed to the following features which are recited in claims of this reissue application: (i) "said nitrogen containing organic compound is selected from the group consisting of monomethylhydrazine, dimethylhydrazine and tertiary butyl amine, and using a source material for arsenic", and (ii) "said nitrogen containing organic compound is selected from the group consisting of monomethylhydrazine, dimethylhydrazine and tertiary butyl amine".

Such errors were inadvertent, and applicant submits that it is appropriate to correct such errors through reissue.

The Office Action also indicated that claim 64 (claim 69 is dependent from claim 64) is rejected for recapture.

By this Amendment, claim 64 has been amended such that the term "an MOCVD method" in claim 64 has been replaced with "a conventional low pressure MOCVD method".

In view of the claim amendments, the Reissue Application Declaration By The Inventor

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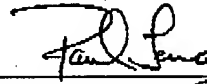
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and the remarks herein, Applicant submits that the application is now in condition for allowance. Accordingly, Applicant earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Patent Office is hereby authorized to charge any fees that are required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,



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EXHIBIT A

to

VOLUNTARY AMENDMENT
(Reissue Application No. 10/603,418)